

REMARKS

Reconsideration and allowance of the claims is requested in view of the above amendments and the following remarks. Claims 42–47 have been canceled without prejudice or disclaimer and new claims 48–73 submitted. No new matter has been added.

Upon entry of this amendment, claims 48–73 will be pending in the present application, with claims 48 and 61 being independent.

1. Rejections Under 35 U.S.C. 103

Claims 42, 44 and 47 are rejected under 35 U.S.C. 103(a) as being unpatentable over DeSimone et al. (US 6,212,548), hereinafter referred to as DeSimone, in view of Knight et al. (US 6,493,703), hereinafter referred to as Knight. Claims 43, 45 and 46 are rejected under 35 U.S.C. 103 (a) as being unpatentable over DeSimone et al. (US 6,212,548), Knight et al. (US 6,493,703), further in view of “Official Notice”.

These rejections are moot in view of the new claim set submitted herewith. Specifically, DeSimone is directed towards a chat session application similar to that discussed in Applicant’s Background section of the present application. Specifically, the data communication system of DeSimone allows multiple users to exchange messages, and sends to all participants updates on participant removal and/or addition. (See, DeSimone, Col. 5, lines 55–62). However, DeSimone does not teach or suggest generation of or providing summary of participation information including the identifying information of the first user associated with a number of times the first user has entered the discussion as recited in claim 48. Thus, DeSimone does not teach or suggest the features of claim 48.

Knight was cited in the present Office Action as disclosing scrolling and control button features which have been removed from the newly submitted claim set.

Application Number: 09/483,469
Attorney Docket Number: 137786.01

However, Knight (Fig. 3D, Col. 18, lines 26–42) describes a tabulation window 360 which indicates statistical information for the Top 10 most frequent posters. The statistical information indicates only the number of postings and only for the Top 10 users. The tabulation window of Knight does not teach or suggest generating or providing a summary of participation including the number of times the first user has entered the discussion as recited in claim 1. Moreover, Knight does not teach or suggest determining (and providing through the summary of participation) when the first user last exited the discussion if the current attendance status indicates not present as recited in claim 50. Moreover, Knight does not teach or suggest generating and providing a summary of participation for each of the multiple user computers as recited in claim 60.

Accordingly, even were the references of DeSimone and Knight combinable, they do not teach or suggest, either alone or in combination, the features of independent claim 48. Independent claim 61 includes limitations similar to those of independent claim 48 and is patentable for at least the foregoing reasons.

2. Prior Rejections Under 35 U.S.C. 103

The Office Action dated September 10, 2003, the prior claims 1–41 were rejected in view of U.S. Patent No. 6,484,196 to Maurille, Hereinafter Maurille. Although the chat system of Maurille (FIG. 1) describes a PMB database 108 including a users table 140, a messages table 142, a conferences table 144, a threads table 146, and a threads participants table 148, none of these tables generate or provide a summary of participation including identifying information of the first user associated with a number of times the first user has entered the discussion as recited in claim 48. Moreover, even if any of the information stored in the PMB database of Maurille were analogous to the summary of participation of claim 1, such information in Maurille is not provided to any of the users participating in the chat session. Accordingly, Maurille, wither alone or in

Application Number: 09/483,469
Attorney Docket Number: 137786.01

combination with DeSimone and/or Knight, does not teach or suggest the features of independent claims 48 and 61.

3. Petition to Revive

Applicant files a Petition for Revival of an application for Patent Abandoned Unintentionally under 37 C.F.R. 1.137(b) herewith. Specifically, Applicant filed a an RCE, Response to a Final action, and Revocation and New Power of Attorney and Change of Correspondence Address on September 17, 2004 with U.S. Post Office Express Mail No. EE591448055US. The filed Power of Attorney and Change of Correspondence Address indicated that future correspondence should be directed to Microsoft Corporation, as opposed to our prior counsel, Ipsolon, LLP to Microsoft Corp. at Customer No. 38991. Despite the appropriate forms being filed on September 17, 2004, the pending Office Action was sent to Ipsolon, LLP on December 17, 2004. Applicant's prior counsel, Ipsolon, LLP did not forward the Office Action sent December 17, 2004, to Microsoft Corp. for response, nor did Ipsolon forward the Notice of Abandonment, sent July 13, 2005. Applicant discovered the abandoned status of the present application on or about May 11, 2007, when Microsoft attempted to review the case, and was denied access through Private PAIR. Upon discovery of the abandonment, Applicant filed a new Power of attorney to get access to the pending Office Action and prepared a response and petition as attached hereto. Accordingly, the abandonment was unintentional since the PTO did not send the correspondence to the appropriate address in view of the Power of Attorney and Correspondence Address filed September 17, 2004. Applicants will gladly provide a copy of the documents as filed on September 17, 2004, upon request.

Application Number: 09/483,469
Attorney Docket Number: 137786.01

4. Conclusion

In view of the above amendment and remarks it is submitted that the claims are patentably distinct over the prior art and that all the rejections to the claims have been overcome. Reconsideration and reexamination of the above application is requested. Based on the foregoing, applicants respectfully request that the pending claims be allowed, and that a timely Notice of Allowance be issued in this case. If the Examiner believes, after this amendment, that the application is not in condition for allowance, the Examiner is requested to call the applicants' attorney at the telephone number listed below.

Application Number: 09/483,469
Attorney Docket Number: 137786.01

If this response is not considered timely filed and if a request for an extension of time is otherwise absent, applicants hereby request any necessary extension of time. If there is a fee occasioned by this response, including an extension fee that is not covered by an enclosed check please charge any deficiency to Deposit Account No. 50-0463.

Respectfully submitted,

Microsoft Corporation

Date: 5/21/07

By: 

Carole A. Boelitz, Reg. No.: 48,958

Attorney for Applicants

Direct telephone: (425) 722-8403

Microsoft Corporation

One Microsoft Way

Redmond WA 98052-6399

CERTIFICATE OF MAILING OR TRANSMISSION
(Under 37 CFR § 1.8(a)) or ELECTRONIC FILING

I hereby certify that this correspondence is being electronically deposited with the USPTO via EFS-Web on the date shown below:

May 21, 2007
Date

/Kate Marochkina/
Signature

Kate Marochkina
Name

Application Number: 09/483,469
Attorney Docket Number: 137786.01